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| 10/731,435 | 12/10/2003 | Kazumi Ono | 074418-0125 | 5159 |

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| EXAMINER | |
|---|---|
| GOODEN JR, BARRY J | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3616 | |

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/731,435 | ONO ET AL. | |
| | Examiner | Art Unit | |
| | Barry J. Gooden Jr. | 3616 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *08 March 2006 (Amendment)*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 December 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

This office action is in response to the amendments filed 3/08/2006. Currently claims 1 and 3-5 are amended, claim 2 is presented as originally presented, and claims 6-15 are new.

### *Drawings*

1. The drawings are objected to because the section line "A-A" in Figure 8 should be relabeled "9-9" and the section line "B-B" in Figure 8 should be relabeled "10-10". Also, in Figure 1 a "lateral cross-section view of an airbag apparatus according to the first embodiment of the present invention," should show the lateral and longitudinal beads across the surface of the door body portion (9).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In regards to the Applicant's remarks concerning the drawings, examiner suggests the inconsistencies in the specification be changed to reflect the drawing corrections.

### *Claim Objections*

2. Claim10 is objected to because of the following informalities:

At line 3, of claim 10, "sides of the airbag lad" should be replaced with -- sides of the airbag lid --.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Gray et al., US Patent 6,402,189 B1.

In regards to claim 5, Gray et al. clearly show an airbag apparatus for a vehicle comprising:

an airbag lid (10), zoned ("separated in airbag door 10 and trim member 20 portions" Column 6, lines 29-30) from a fixing portion ("a trim member portion") by a U shaped fragile line or square shaped fragile line (Column 6, lines 9-17) in an instrument panel (8, "substrate"), and opened to said fixing portion by the break of the U shaped fragile line when an airbag body is expanded; and

a door for holding (30) disposed on a back surface of said airbag lid (See Figure 2), said holding door (30) including:

a door body portion (61) positioned on the back surface of said airbag lid (See Figure 2);

an installation portion (62) to said fixing portion; and

a hinge portion (65) disposed between said door body portion (61) and the installation portion (62), wherein spaces (63) between the both sides of the airbag lid and the both sides of the door body portion are formed by adopting a smaller width dimension of the door body portion of the holding door than a width dimension of the airbag lid, the spaces in the width direction between the both sides of the airbag lid and the both sides of the door body portion are constructed to be larger gradually toward the leading end side by cutting crosswise the corner portions of said door body portion (See Figure 4).

***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraki et al., US Patent 5,961,142, in view of Nakahima et al., US Patent 6,299,198 B1.

In regards to claims 1-4 Shiraki et al. show all of the claimed elements including an airbag apparatus for a vehicle comprising:

an airbag lid (D1) provided by a fragile line on a resin instrument panel (10);

a door for holding (41) disposed in a back surface of said airbag lid (See Figures 6 and 7);

said holding door (41) including:

a door body portion positioned in the back surface of the airbag lid (See Figure 1);

an installation portion (45) to the instrument panel (10) disposed around said airbag lid (D1); and a hinge portion (49 and 32a) disposed between the door body portion and the installation portion (45);

wherein the door body portion of said holding door (41) includes a longitudinal bead extending from the hinge portion side to the leading end side of the door body portion and a lateral bead which is extended along said hinge portion, and said lateral bead and said longitudinal bead are constructed to be crossed (50a) (See Figure 4);

wherein it further includes a plurality of said longitudinal beads provided on said door body portion (See Figure 4);

including another lateral bead which is parallel to said lateral bead, wherein the lateral beads and the longitudinal beads are constructed to be substantially a lattice form (50a); and

wherein said holding door (41) comprises metal (Column 3, line 35).

Shiraki et al. show all of the claimed elements excluding bosses across the door body portion; however, Nakashima et al. teach the use of bosses (5d) across a holding door (5) body portion (See Figure 4). Therefore, It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the door body portion of Shiraki et al. in view of the teachings of Nakashima et al. to include bosses across the door body portion so as to provide a secure, reliable and integral connection between the door body portion of the holding door and the back surface of the airbag lid.

8. Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraki et al., US Patent 5,961,142, in view of Gray et al., US Patent 6,402,189 B1.

In regards to claims 5 and 9, Shiraki et al. shows an airbag apparatus for a vehicle comprising:

an airbag lid (D1), zoned from a fixing portion by a fragile line in an instrument panel (10), and opened to said fixing portion by the break of the fragile line when an airbag body is expanded

a door for holding (41) disposed in a back surface of said airbag lid (See Figures 6 and 7);

said holding door (41) including:

a door body portion positioned in the back surface of the airbag lid (See Figure 1);

an installation portion (45) to said fixing portion; and

a hinge portion (49 and 32a) disposed between the door body portion and the installation portion (45); and

wherein said holding door (41) comprises metal (Column 3, line 35).

Shiraki et al. discloses all of the claimed elements excluding a U shaped fragile portion, lid and door body portion.

Gray et al. teaches of an airbag lid (10), zoned ("separated in airbag door 10 and trim member 20 portions" Column 6, lines 29-30) from a fixing portion ("a trim member portion") by a U shaped fragile line or square shaped fragile line (Column 6, lines 9-17) in an instrument panel (8, "substrate"), and opened to said fixing portion by the break of the U shaped fragile line when an airbag body is expanded; and

Wherein spaces (63) between the both sides of the airbag lid and the both sides of the door body portion are formed by adopting a smaller width dimension of the door body portion of the holding door than a width dimension of the airbag lid, the spaces in the width direction between the both sides of the airbag lid and the both sides of the door body portion are constructed to be larger gradually toward the leading end side by cutting crosswise the corner portions of said door body portion (See Figure 4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fragile portion, lid and door body portion of Shiraki et al. in view of the teachings of Gray et al. to include a U shape and spaces so as to reduce the overall weight and cost, due to material redundancy, of the air bag door and add stiffness, thereby keeping the integrity of the door intact (Column 12, lines 25-35).

9. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraki et al. in view of Gray et al. as applied to claim 5 above, and further in view of Nakashima et al., US Patent 6,299,198.

In regard to claims 6-8, Shiraki et al. in view of Gray et al. teaches all of the claimed elements including:

wherein the door body portion of said holding door (41) includes a longitudinal bead extending from the hinge portion side to the leading end side of the door body portion and a lateral bead which is extended along said hinge portion, and said lateral bead and said longitudinal bead are constructed to be crossed (50a) (See Figure 4);

wherein it further includes a plurality of said longitudinal beads provided on said door body portion (See Figure 4);

including another lateral bead which is parallel to said lateral bead, wherein the lateral beads and the longitudinal beads are constructed to be substantially a lattice form (50a).

Shiraki et al. show all of the claimed elements excluding bosses across the door body portion; however, Nakashima et al. teach the use of bosses (5d) across a holding door (5) body portion (See Figure 4). Therefore, It would have been obvious to one having ordinary skill in the art at the time the

invention was made to modify the door body portion of Shiraki et al. in view of the teachings of Nakashima et al. to include bosses across the door body portion, specifically within the lattice form, so as to provide a secure, reliable and integral connection between the door body portion of the holding door and the back surface of the airbag lid.

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraki et al. in view of Nakashima et al. as applied to claims 1-4 above, and further in view of Gray et al.

In regards to claim 10, Shiraki et al. in view of Nakashima et al. teaches all of the claimed elements excluding a width of the holding door at the leading edge being smaller than a width of the air bag lid at the leading edge.

Gray et al. teaches spaces (63) between the both sides of the airbag lid and the both sides of the door body portion are formed by adopting a smaller width dimension of the door body portion of the holding door than a width dimension of the airbag lid, the spaces in the width direction between the both sides of the airbag lid and the both sides of the door body portion are constructed to be larger gradually toward the leading end side by cutting crosswise the corner portions of said door body portion (Reference is made to Figure 4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fragile portion, lid and door body portion of Shiraki et al. in view of the teachings of Gray et al. to include a U shape and spaces so as to reduce the overall weight and cost, due to material redundancy, of the air bag door and add stiffness, thereby keeping the integrity of the door intact (Column 12, lines 25-35).

11. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraki et al., US Patent 5,961,142, in view of Nakashima et al., US Patent 6,299,198 B1.

In regards to claims 1-4 Shiraki et al. discloses all of the claimed elements including an airbag apparatus for a vehicle comprising:

an airbag lid (D1) provided by a fragile line on a resin instrument panel (10);

a door for holding (41) disposed in a back surface of said airbag lid (See Figures 6 and 7), said holding door (41) including:

a door body portion positioned in the back surface of the airbag lid (See Figure 1);

a first installation portion (45) to the instrument panel (10) disposed around said airbag lid (D1); and a hinge portion (49 and 32a) disposed between the door body portion and the installation portion (45);

wherein the door body portion of said holding door (41) includes a longitudinal bead extending from the hinge portion side to the leading end side of the door body portion and a lateral bead which is extended along said hinge portion, and said lateral bead and said longitudinal bead are constructed to be crossed (50a) (See Figure 4);

wherein it further includes a plurality of said longitudinal beads provided on said door body portion (See Figure 4);

including another lateral bead which is parallel to said lateral bead, wherein the lateral beads and the longitudinal beads are constructed to be substantially a lattice form (50a); and

wherein said holding door (41) comprises metal (Column 3, line 35).

Shiraki et al. show all of the claimed elements excluding bosses across the door body portion; however, Nakashima et al. teach the use of bosses (5d) across a holding door (5) body portion (See Figure 4). Therefore, It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the door body portion of Shiraki et al. in view of the teachings of Nakashima et al. to include bosses across the door body portion, specifically within the lattice form, so as to provide a secure, reliable and integral connection between the door body portion of the holding door and the back surface of the airbag lid.

12. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraki et al. in view of Nakashima et al., as applied to claim 11 above, and further in view of Gray et al.

In regards to claim 15, Shiraki et al. in view of Nakashima et al. teaches all of the claimed elements excluding a space between the sides of the airbag lid and the door body portion increasing towards a leading end side.

Gray et al. discloses spaces (63) between the both sides of the airbag lid and the both sides of the door body portion are formed by adopting a smaller width dimension of the door body portion of the holding door than a width dimension of the airbag lid, the spaces in the width direction between the both sides of the airbag lid and the both sides of the door body portion are constructed to be larger gradually toward the leading end side by cutting crosswise the corner portions of said door body portion (Reference is made to Figure 4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fragile portion, lid and door body portion of Shiraki et al. in view of the teachings of Gray et al. to include a U shape and spaces so as to reduce the overall weight and cost, due to material redundancy, of the air bag door and add stiffness, thereby keeping the integrity of the door intact (Column 12, lines 25-35).

***Response to Arguments***

13. Applicant's arguments filed 3/08/2006 have been fully considered but they are not persuasive.

14. In regards to applicant's remarks concerning Gray et al., examiner maintains Gray et al. discloses all of the claimed elements including an airbag lid (10), which is comprised of an outer shell (11) of the airbag lid and a foam (14) of the airbag lid (Column 6, Lines 26-38).

15. In regards to applicant's remarks concerning Shiraki et al. in view of Nakashima et al., examiner maintains Shiraki et al. in view of Nakashima et al. teaches all of the claimed elements. With regards to the structural limitations Shiraki et al. in view of Nakashima et al. teaches a structure that meets all of the limitations, as such, it would therefore prevent damage upon a fixed state between the airbag lid and the door body portion when the airbag is expanded. In addition, it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations.

***Conclusion***

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry J. Gooden Jr. whose telephone number is (571) 272-5135. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barry J Gooden Jr.
Examiner
Art Unit 3616

BJG

5/15/06

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